



July 21, 2004



2611  
JFW  
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**VIA FIRST CLASS MAIL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CUSTOMER NUMBER  
**22887**  
PATENT TRADEMARK OFFICE

Re: U.S. Serial No.: 10/064,790  
Filed: August 16, 2002  
Confirmation No. 5720  
Entitled: METHOD OF DATA DISPLAY FOR ELECTRONIC PROGRAM  
GUIDES (EPGs) ON A REMOTE CONTROL  
Inventor: David E. Allport  
Our File No.: ER 1602.06 US

Dear Sir:

Enclosed for filing in the above-referenced patent are the following documents:

1. Transmittal Form;
2. Fee Transmittal;
3. Supplemental Information Disclosure Statement, copy of International Search Report, Form 1449 and cited references;
4. Cover Letter;
5. Stamped, Self-Addressed Postcard (Control No. 6Y7V19), and
6. Certificate of First Class Mail dated July 21, 2002.

Please indicate on the enclosed postcard the date of receipt of the enclosed materials and mail this prepaid postcard to acknowledge receipt of this transmittal.

Very truly yours,

DISCOVISION ASSOCIATES

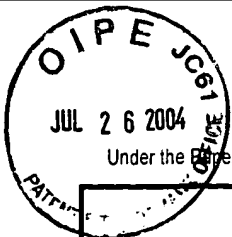
Micah P. Goldsmith  
Patent Prosecution Attorney  
INTELLECTUAL PROPERTY DEVELOPMENT

MG:cs

Enclosures

P:\ABG\PPD\ER\1602\06\ptocvr.ltr\_102.doc

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
on: <u>July 21, 2004</u>	<u>Calleen A. Smothers</u>
	(Type or print name)
(Signature)	

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/064,790
Filing Date	August 16, 2002
First Named Inventor	David E. Allport
Art Unit	2611
Examiner Name	Faile, Andrew I
Attorney Docket Number	ER 1602.06 US

Total Number of Pages in This Submission

**ENCLOSURES** (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | <u>Cover Letter and Certificate of Facsimile.</u>  |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> CD, Number of CD(s) _____                                      | _____  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | Remarks   | _____  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Micah R. Goldsmith, Reg. No. 43,638
Signature	
Date	July 21, 2004

**CERTIFICATE OF TRANSMISSION / MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Calleen A. Smothers		
Signature		Date	July 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**FEE TRANSMITTAL**  
**for FY 2004**  
Effective 10/1/2003. Patent fees are subject to annual revision.

**Complete if Known**

Application Number 10/064,790  
Filing Date August 16, 2002  
First Named Inventor David E. Allport  
Examiner Name Faile, Andrew I  
Art Unit 2611  
Attorney Docket No. ER 1602.06 US

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 04-1175  
Deposit Account Name

The Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee \$	Fee Code	Fee \$		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUB TOTAL (1) (\$ 0)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims  -20\*\* =  x  =   
Independent Claims  -3\*\* =  x  =   
Multiple Dependent  =

Large Entity		Small Entity		Fee Description
Fee Code	Fee \$	Fee Code	Fee \$	
1202	18	2202	9	Claim in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee \$	Fee Code	Fee \$		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt.	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 C.F. R. 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

**SUBMITTED BY**

Name Printed/Typed Micah P. Goldsmith

Registration No. 43,638  
Attorney / Agent

Signature

**Complete (if applicable)**

Telephone (949) 660-5000 Ext. 201

Date July 21, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents: P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:  
David E. Allport

Serial No.: 10/064,790

Filed: 8/16/2002

For: METHOD OF DATA DISPLAY  
FOR ELECTRONIC PROGRAM  
GUIDES (EPGs) ON A REMOTE  
CONTROL

Confirmation No. 5720

Art Unit: 2611

Examiner: Faile, Andrew I

Attorney Docket No.  
ER 1602.06 US

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**  
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envelope addressed to the Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450

on: July 21, 2004 Calleen A. Smothers  
(Type or print name)  
Calleen A. Smothers  
(Signature)

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

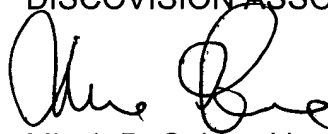
Dear Sir:

In complying with the duty of disclosure set forth in 37 CFR § 1.56, Applicant submits a copy of the patents as listed on the attached form PTO-1449. The undersigned hereby certifies that the items of information submitted herewith were cited in a communication from a foreign patent office in a counterpart/related foreign application.

Applicant kindly requests that the Examiner review these references and enter as a matter of record herein. Applicant further requests that a signed and initialed copy of the Form PTO 1449 be returned to Applicant's mailing address.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1175.

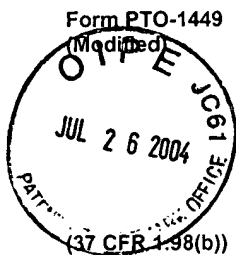
Respectfully submitted,  
DISCOVISION ASSOCIATES



Micah P. Goldsmith  
Reg. No. 43,638

Date: July 21, 2004

DISCOVISION ASSOCIATES  
INTELLECTUAL PROPERTY DEVELOPMENT  
P.O. Box 19616  
Irvine, California 92623  
(949) 660-5000

Form PTO-1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

ER 1602.06 US

SERIAL NO.

10/064,790

APPLICANT

David E. Allport

FILING DATE

8/16/2002

GROUP

2611

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,585,838 A	12/17/1996	Matthews III, Joseph H., et al.			
	AB						
	AC						

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION YES	NO
	F01	EP 0 834 798 A	4/8/1998	EP			X	
	F02	WO 96/09721 A	3/28/1996	WO			X	
	F03	WO 98/53607 A	11/26/1998	WO			X	
	F04							

## OTHER DOCUMENTS (Including Author, Title, Date\*\*, Relevant Pages, Place of Publication\*\*\*)

	P01	
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**\*AUTHORIZATION TO CHARGE APPLICANT'S DEPOSIT\***  
**\*ACCOUNT FOR ENTRY OF THESE REFERENCES HAS\***  
**\*BEEN GIVEN IN THE STATEMENT SUBMITTED HEREWITH\***

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation of not in conformance and not considered. Include copy of this form with next communication to applicant.

P:\ABG\PPD\ER\1602\06\1449.frm.doc